

**POLICE CONDUCT OVERSIGHT COMMISSION
POLICY AND PROCEDURE COMMITTEE**

Minutes

Regular Meeting August 25, 2015

Starting at 6:00 p.m.

350 Fifth Street, Room 241, Minneapolis, MN 55407

Committee members Present: Andrew Buss (Chair), Jennifer Singleton, and Laura Westphal (quorum 2).

Committee Members Absent: None.

Staff Present: Ryan Patrick, Legal Analyst.

Chair Buss called the meeting to order at 6:04 p.m. A quorum of the Commission was present.

Westphal moved to adopt meeting agenda.

Singleton seconded.

No discussion. All-in-favor. None opposed.

The motion carried.

Westphal moved to approve the meeting minutes from July 28, 2015.

Singleton seconded.

No discussion. All-in-favor. None opposed.

The motion carried.

Presentation on “Doesn’t Fit Any Crime” Methodology:

Legal Analyst Ryan Patrick addressed the Committee; the following are the main points from his presentation:

- The distinction “Doesn’t Fit Any Crime” is a code used when nothing else fits, but the manual does state that the operator must use remarks when using this particular code.
- Next to the code in CAPRS there is a section for corresponding statute, they do have an opportunity to write the actual law or ordinance they are using to justify this.
- Ran CAPRS database query searching back from August 1, 2012 to August 1, 2015, which is a different time period than the ACLU used.
- Excluded Metro Transit and University of Minnesota Police Departments.
- Found 768 instances where individuals were arrested with the charge “Doesn’t Fit Any Crime.”

Pending Approval

- Main study goal is to determine whether or not instances are “Doesn’t Fit Any Crime” or miscellaneous due to limitations in the CAPRS database.
- Second goal is to determine if arrestees are tried and convicted, we want to look at whether or not people are being arrested and charged, or just arrested and let go.
- Third goal is to identify dates, times, or trends; looking at more broadly in those terms.
- Race is certainly going to be part of it; we can look at multiple variables, such as if there are multiple offenses for the arrest, or if the individual was cited and released or taken into custody, whether arrest rates differ from precinct to precinct.
- If a statute is cited for a miscellaneous offense, this is much more concrete than looking at a narrative; we can also explore other variables such as demographic data and will use as much public data as possible to find the information in the reports.

With the conclusion of the presentation from Mr. Patrick, Chair Buss opened the floor for discussion. The following is a list of speakers during the discussion and an abstract of the points presented:

Westphal – asked what the timeline will look like.

Buss – indicated that this could indicate issues with the data management system, which could be interpreted in a number of different ways.

Singleton – asked if this is limited to adults, or is juvenile data included in the report.

Patrick – indicated that ideally information should be available by December 2015.

With no further discussion on the matter, the Chair moved to the next item on the agenda.

Ongoing Business

Research and Study Status Updates:

The following are the main points from Mr. Patrick’s update:

- The office is making the Seattle PD documents available to the Commissioners on the Cultural Awareness website.
- The information includes information on Terry pat-downs, hidden bias, and de-escalation techniques, which will also be available online.
- Additionally there is a training module titled *Race: the power of illusion*, which covers race and society.

Pending Approval

With no further discussion on the matter, the Chair moved to the next item on the agenda.

Discussion Items

Cases Previously Referred to the Committee by the Commission

With no further discussion on the matter, the Chair moved to the next item on the agenda.

Tracking and Review of Cases and Topic Areas

With no new information available at this time, the Chair moved to the next item on the agenda.

Cultural Awareness Training – Recommendations and Implementation

With no new information available at this time, the Chair moved to the next item on the agenda.

Investigative Detention Reporting

Commissioner Singleton indicated that there is no new information available at this time, but will report back on the matter in October.

With no further information available at this time, the Chair moved to the next item on the agenda.

MPD Code of Conduct Policy and Discipline Matrix

Commissioner Westphal indicated she has no new updates from the MPD but has letters drafted for Chair Brown to DC Glampe and Arredondo. Also, she indicated that she has had contact with Chief Clark at the University of Minnesota.

With no further information available at this time, the Chair moved to the next item on the agenda.

New Business

New Cases Referred to the Committee by the Commission

With no new cases referred to the Committee by the Commission. The following is a list of the comments discussed and an abstract of their individual comments:

Pending Approval

Buss – the new cases referred were number(s) two and eight, which both involved language related issues and indicates that they should be included for tracking in the queue.

With no further discussion on Data Case Summary, the Chair moved to the next item on the agenda.

Upcoming September 2015 Policy and Procedure Meeting

Chair Buss indicated a scheduling conflict for the September 2015 meeting. The Committee members agree to reschedule the next Policy and Procedure meeting to Thursday, September 17, 2015 at 6:00 p.m.

Chair Buss moved to reschedule the next Policy and Procedure meeting to Thursday, September 17, 2015 at 6:00 p.m.

With no discussion on the matter, the Chair called for a voice vote. All in favor. None opposed.

The motion carried.

Public Comment

Chuck Turchick:

- Discussed the Code of Conduct / Discipline Matrix issue with regard to DC Arredondo addressing the full Commission
- Expressed appreciation that the Committees meet regularly
- The PCOC 2013-14 report regarding policy review and looking at fact situations

Adjournment

With all of the Committee's business being concluded, the Chair entertained a motion:

Westphal moved to adjourn.

Singleton seconds.

All in favor. None opposed.

The motion carried.

Chair Buss adjourned the meeting at 7:01 p.m.